

REMARKS

Claims 10, 12-14, 17, 19-21, 23-26, 28, 30, 33 & 34 are rejected under 35 U.S.C. 103(a) as being unpatentable over Murata (2001/0051762) ("Murata '762") in view of Hill (U.S. Patent No. 6,929,600) ("Hill '600"), and in further view of Chikama (U.S. Patent No. 5,002,041). Claim 11 is rejected under 35 U.S.C. 103(a) as being unpatentable over Murata in view of Pearlman (U.S. Patent No. 5,347,992). Claims 18, 22, 29, 31 and 32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Murata in view of Saito (U.S. Patent No. 6,184,922). Claim 27 is rejected under 35 U.S.C. 103(a) as being unpatentable over Murata.

In the Final Rejection, the Examiner relies upon the combination of the Murata '762 and Hill '600 references in rejecting the majority of pending claims under 35 U.S.C. § 103(a), including claim 10, the sole pending independent claim. Applicants respectfully disagree with the Examiner's reliance on these references as disclosing several claimed elements, and therefore submit this Request for Reconsideration.

As previously explained in Applicant's May 8, 2007 Amendment and Response, Murata '762 discloses an "endoscope system 1 for industrial use . . . consist[ing] mainly of an endoscope 3 for industrial use, a cylindrical drum 4, a box-like main unit 5, a front panel 6, a remote control unit 8, a display device 10, a stowage lid 11, and a battery 13." (Murata '762 ¶ [0045] and Figs. 1, 6, 9, 12) As is clearly shown in each of the embodiments disclosed in Murata '762, the remote control unit 8 and display device 10 are separate and not part of a unitary element, and the display device 10 is fixed to the box-like main unit 5 by a monopode or column 8 and is not part of a handset. (Murata '762 ¶ [0045] and Figs. 1, 6, 9, 12) Applicants therefore respectfully disagree with the Examiner's statement that Murata discloses "a unitary control and display handset element." (Office Action at [04a]) Unlike the Murata '762 disclosure of separate control 8 and display 10 units, Applicants' pending claims are distinguishable in that they are directed to a modular visual inspection system having a unitary control and display handset element. (e.g., ¶ [0059] ("unitary display module 130/manually operated control module 250"))

Furthermore, and as also previously explained in Applicant's May 8, 2007 Amendment and Response, the single endoscope 3 of Murata '762 directly interfaces with the light source unit 15, camera control unit (CCU) 16, and motor-driven angling unit 17 (Murata '762 ¶ [0046] and Figs. 2, 5, 7, 8, 10, 11, 13), all of which are located within the box-like main unit 5 (Murata '762 Figs. 1, 6, 9, 12). As is clearly shown in each of the embodiments disclosed in Murata '762, there is but a single endoscope 3 that is connected to the box-like main unit 5, and not connected to the control and/or display element. The Examiner admits that Murata does not disclose "that there are a plurality of insertion elements, wherein each one of said plurality of insertion elements can be used without modification with said control and display element, wherein said plurality of insertion elements include at least two insertion elements [that] have different physical or optical characteristics." (Office Action at [04b]) Unlike the Murata '762 disclosure of a single insertion element connected to the box-like main unit, Applicants' pending claims are distinguishable in that they are directed to a modular visual inspection system having a plurality of insertion elements connected to the unitary control and display handset element, which provides the user with greater flexibility in conducting an inspection. (e.g., ¶ [0083])

Finally, since the Examiner admits that Murata does not disclose "that there are a plurality of insertion elements, wherein each one of said plurality of insertion elements can be used without modification with said control and display element, wherein said plurality of insertion elements include at least two insertion elements [that] have different physical or optical characteristics" (Office Action at [04b]), he relies on the Hill '600 disclosure for these missing elements. The Examiner specifically relies upon Hill '600's disclosure of "a 'connector 136' that 'is preferably dimensioned to make a secure, friction fit with the universal adaptor 140,' wherein 'connector 136 may be slid up and down the stylet 104 to provide connection to the universal adaptor 140 for a variety of endotracheal tubes having various lengths.'" (Office Action at [04c]) As is clearly shown in each of the embodiments disclosed in Hill '600, while there is disclosure of a "variety of endotracheal tubes having various lengths," the tubes are hollow "flexible, plastic" tubes inserted "into the patient's trachea to ventilate his/her lungs" (Hill '600 at 1:15-17), not insertion elements for imaging as required by the pending claims.

Applicants therefore respectfully disagree that Hill '600 teaches or suggests the presently claimed plurality of insertion elements for imaging the interior of the structure, each of said plurality of said insertion elements comprising an imaging sensor and an elongated braided portion, wherein said plurality of insertion elements include at least two insertion elements have different physical or optical characteristics. Obviously then, Hill '600 or any of the other cited prior art references also fail to disclose the connection of a plurality of insertion elements to the unitary control and display handset element, without modification of the handset.

For all of these reasons and in light of the previous amendments to independent claim 10, Applicants respectfully request that the Examiner's rejection of claim 10 be withdrawn upon reconsideration. Furthermore, since "[d]ependent claims are nonobvious under section 103 if the independent claims from which they depend are nonobvious," *In re Fine*, 837 F.2d 1071, 1076 (Fed. Cir. 1988), Applicants request that the Examiner's rejection to dependent claims 11-14 and 17-34, all of which depend from independent claim 10, also be withdrawn. In view of these arguments, applicant believes the pending application is in condition for allowance.

Applicant believes no fee is due with this response. However, if a fee is due, please charge our Deposit Account No. 50-0289, under Order No. 702_102 from which the undersigned is authorized to draw.

Dated: January 10, 2008

Respectfully submitted,

By 

Denis J. Sullivan

Registration No.: 47,980

MARJAMA MULDOON BLASIAK & SULLIVAN LLP

250 South Clinton Street

Suite 300

Syracuse, New York 13202

(315) 425-9000

Customer No. 20874